
BRIDGES

KEEPING NEW JERSEY'S DENTAL PROFESSIONALS CONNECTED



NEW JERSEY STATE BOARD OF DENTISTRY

SUMMER 2002

PRESIDENT'S MESSAGE

Emil G. Cappetta, D.M.D.

The purpose of the State Board of Dentistry, as mandated by law, is to protect the public by establishing standards for the practice of dentistry, by evaluating candidates for licensure, by promulgating regulations, by investigating complaints concerning violations of the Dental Practice Act. This is an arduous task for the professional members of the Board, as well as the public members, the attorneys general representing the Board and the Board's staff.

Our new executive director, Kevin B. Earle, has made a great difference in the way the Board functions. I want to personally thank all of these people for their hard work and dedication in making the Board function as well as it has during my tenure as president of the New Jersey State Board of Dentistry.

The review and evaluation of complaints received regarding possible violations of the Dental Practice Act and/or Board regulations are both necessary and considerable. The process of review is fair and complete. The sad part of the process is that many of these complaints would not have been filed in the first place had there been better communication between the dentist and his or her patient.



The most common complaints concern the following items: insurance; a patient's lack of understanding of the total fee for services; a lack of understanding of the treatment plan; a failure on the part of dentist to follow the proper sequence of therapy; and the failure to perform, or at least recommend, appropriate comprehensive dental care. While there can be any number of possible treatment plans, there can be only one correct diagnosis. Patients should be advised in a manner that provides them with a clear understanding of the range of treatments and the associated costs. While it is not necessarily required, it is always advisable from a risk management perspective, to document in your patient record each of the options discussed and the decisions made by your patient.

Other common violations are related to poor recordkeeping (remember the old adage – if it's not in the record it didn't happen), the lack of a written treatment plan, the failure to treat periodontal disease, the failure to take diagnostic x rays and to discuss fees before starting the program of dental care. When a breakdown in communication occurs, the patient often loses trust in the dental practitioner. Many times this breakdown results in the submission of a complaint to the Board.

Trust is the dental profession's most important asset. The standing of the profession of dentistry can be profoundly diminished if trust is not maintained between the dentist and the patient at all times. Dental professionals must work unceasingly to preserve a patient's trust. In my opinion, the best way to retain trust is to be honest with and sensitive to our patients. Additionally, we gain a patient's trust through the performance of quality dentistry. Quality is something we must all strive for as professionals. Quality relates to the materials we use. Are they sound and

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**New Jersey State Board of
DENTISTRY
NEWSLETTER**

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Kevin B. Earle, *Executive Director*

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durable or are they inexpensive? Quality is achieving or reaching for the highest standard as opposed to being satisfied with a sloppy or fraudulent end result. Quality is reflected by honesty of purpose and never permits second rate care. Integrity, personal ethics and the satisfaction derived from committing oneself to the highest standards of dentistry will keep the dental professional above the fray and trusted by patients.

Some dentists have a bleak outlook regarding the future of dentistry. Indeed, I hear some dentists say patients have no money for anything other than emergency care. However, there are other dentists who are flourishing professionally and financially. Why the

dichotomy? One reason is that successful practitioners do not simply pay lip service to the concept of comprehensive dentistry. This refers to completeness at the highest level of therapeutic and diagnostic competency.

The first step in the performance of comprehensive care is to understand that education is an ongoing process and does not end with the D.M.D. or the D.D.S. A dental degree is an admission slip for *continuing education* for one's entire dental career. The cost of reinvesting in one's knowledge should be budgeted as part of doing business, which is no different than the purchase of dental supplies or the replacement of outdated equipment. For dental professionals, your most valuable piece of equipment is your intellect and its store of knowledge. It is also the one piece of equipment that can become obsolete the fastest! The replacement parts are inexpensive (continuing education) and the cost of a breakdown, in the form of attenuated competency, diminished professional enthusiasm, fewer patients, reduced income and greater stress, is enormous.

On March 6, 2002, an article appeared on the CBS.MarketWatch.com Web site. The article stated that the dental profession's mission was "to treat decay and alleviate pain." The article criticized the dental profession for charging high fees when auxiliaries were doing procedures usually performed by the dentist, and was critical of the dental profession for promoting cosmetic endeavors.

Perhaps this is what the author wants from a dentist and not much more? Perhaps this author's lack of understanding of comprehensive care is the fault of his own dentist or perhaps the profession in general? In my opinion, the mission of dentistry is to preserve the health, function, comfort and aesthetics of the dentition. No dentist I know *insists* that his or her patient have cosmetic dentistry. Indeed, it is the responsibility of the dental practitioner to discuss the pros and cons of cosmetic procedures. The patient should make the final decision after having been presented with all of the alternatives and the associated costs. The dentist, having done his or her job properly, should not have to apologize for making recommendations. People color their hair, have face lifts, "tummy tucks" and hair transplants. Is it any worse for patients to seek an improvement in the appearance of their teeth through the use of whitening procedures, white fillings, veneers or crowns?

Likewise, dental auxiliaries have an important role to play in a patient's satisfaction. *The Complete Book of Etiquette – Guide to Daily Living*, written by Amy Vanderbilt for Doubleday in 1952, discusses "Unattractive Teeth":

"Some teeth gather tartar because of smoking, some because of improper and hurried cleaning and some for reasons no dentist can determine. Teeth that do stain in this way should be professionally cleaned, probably every three months, otherwise tartar gathers mouth acids, causes unpleasant breath, and if not removed, can loosen teeth by causing pyorrhea. Aside from this medical reason for having clean teeth, there is certainly the cosmetic and social one. . . . Don't let your dental hygiene go unchecked. See your dentist and dental hygienist as often as they deem necessary and learn, as an adult, how to wash your teeth and how to keep the spaces between your teeth free of food particles through the use of dental floss or dental picks (the professional kind dentist suggest) after each meal. There is no nostrum preferably that can disguise the need for dental attention or hygiene."

Yet how does the profession respond to its critics? It is true that a response can be made through organized dentistry on the national or state level. However, the best response to criticism is through actions, deeds, and an improved attitude on an individual level. It is imperative that, as a dental professional, you bring to each day a sense of purpose, a desire to continue to learn new things and a deep belief in your abilities and in what you are doing to treat your patients.

Remember, you are who you are when no one is looking.



PAST PRESIDENT'S MESSAGE

Barbara Ann Rich, D.D.S.

The New Jersey State Board of Dentistry is here to protect the public. The Board reviews every complaint that it receives. The review may lead to an appearance before the Board. This can become costly in terms of time spent away from the office, legal fees and stress. It would be much easier to avoid the problem in the first place.

Robert Fulghum's book, *All I Really Need to Know I Learned in Kindergarten: Uncommon Thoughts on Common Things* (New York: Villard Books, 1988), has wonderful advice. He reminds us of some simple rules we all learned a long time ago. If we really followed them, life might become a little easier for all of us. Mr. Fulghum's list includes:

Share everything.

Play Fair.

Don't hit people.

Put things back where you found them.

Clean up your own mess.

Don't take things that aren't yours.

Say you're sorry when you hurt somebody.

Wash your hands before you eat.

Flush.

Warm cookies and cold milk are good for you.

Live a balanced life learn some and think some and paint and sing and dance and play and work every day some.

Perhaps a "dental version" of this list might look like this:

Be truthful in advertising and follow the rules.

Listen to your patient's complaints and symptoms.

Take a radiograph before irreversible treatment of a tooth.

Clearly state fees and treatment so the patient understands them.

Do your best.

Have your insurance codes accurately reflect the services rendered.

Use continuing education to improve in many areas of dentistry.

Keep neat and accurate records.

Wash your hands before you treat patients.

Sterilize.

Keep your mind and body healthy.

Get help NOW if alcohol or drugs are a problem.

And it bears repeating:

Live a balanced life learn some and think some and paint and sing and dance and play and work every day some.

Board Approves New Specialty Category

Oral and maxillofacial radiology has been approved by the Board as a recognized specialty for which a specialty permit may be issued under Board regulations. The action follows recognition of the specialty by the ADA House of Delegates. The Board has adopted a definition of the specialty as follows:

Oral and maxillofacial radiology is the specialty of dentistry and discipline of radiology concerned with the production and interpretation of images and data produced by all modalities of radiant energy that are used for the diagnosis and management of diseases, disorders and conditions of the oral and maxillofacial region.

Continuing Education Credit for Forensic Dentists Involved in the WTC Tragedy

The Board of Dentistry has determined that those dentists who have been involved in forensic dentistry activities in connection with the World Trade Center disaster may claim up to eight hours of continuing education credit for that work for the 1999 2001 biennial period. Participants should endeavor to obtain some form of documentation to verify this work, and retain it with other proofs of completion of continuing education.

Updated Requirements for General Anesthesia Permit Holders

At its February 2002 meeting, the Board of Dentistry approved updated requirements for holders of general anesthesia permits. Board regulations require that facilities or mobile facilities providing general anesthesia must be equipped with certain emergency equipment, supplies and emergency drugs and medications. Inspections of these facilities, which are required at least once every six years, will be evaluated subject to these standards. The updated requirements are listed below.

General Equipment

- Posted telephone numbers for local emergency (EMS) response, physicians, a hospital emergency department, police, or other personnel capable to respond to an office emergency related to general anesthesia and IV sedation.
- Office Emergency Manual
- Personnel to administer CPR/BLS, such as a doctor (dentist or M.D.) and two assistants at a minimum
- Interoffice communication system
- Clocks, battery powered (watches acceptable)
- Oxygen, positive pressure and passive delivery systems
- Portable oxygen supply (recommended “E” cylinder)
- “Ambu” bag for positive pressure ventilation and assorted full face masks
- Mouth props in assorted sizes
- Suction tips and tubing
- An emergency suction device
- Emergency light sources, battery operated flashlights are acceptable.

Patient monitoring parameters for general anesthesia

- Heart rate (automatic monitoring)
- Defibrillator, electrodes and supplies or Automated Electronic Defibrillator (AED)
- Blood pressure: automatic NIBP (noninvasive automatic blood pressure) equipment strongly recommended, minimum five minute interval time monitoring, continuous use.
- ECG (“EKG”), continuous use
- Oxygen saturation (pulse oximeter, continuous use; it is strongly recommended that the unit has functional alarms)
- Stethoscope
- Respiration monitoring, such as visible reservoir bag, visibility of patient’s chest movement and related monitoring equipment such as capnography.

- Temperature (recommended if using halogenated hydrocarbon inhalation general anesthetics)
- Intravenous solutions “ACLS compatible” such as NS, D5W1/2NS, LR, LRD, PLA (NOTE: D5W is not recommended for use in ACLS or similar or equivalent emergencies), IV administration sets and tubing
- Syringes, needles, IV catheters, tape, scissors
- Laryngoscopes, assorted size blades, spare batteries
- Oral and nasal airways, adult and pediatric sizes
- Endotracheal tubes, adult and pediatric sizes
- Magill forceps
- Yankauer type suction tips, catheter suction
- Capnography (end tidal carbon dioxide, respiration rate) (recommended)

Generic Types of Pharmacological Agents Required

- Analgesics
- Local Anesthetics
- Vasopressors
- Vasodilators (coronary)
- Anti Bradicardic Agents
- Bronchodilators
- Muscle relaxant for treatment of laryngospasm
- Antihistamine
- Narcotic antagonist
- Anticonvulsant
- Steroids
- Tranquilizers
- Anti hypertensive
- Benzodiazepines
- Benzodiazepine antagonist
- Anti arrhythmic (lidocaine, amiodarone) (updated as per current ACLS)
- Aspirin
- Nitroglycerine (tablets, paste, spray)
- Antiemetic
- Dantrolene Specifically recommended for use where halogenated hydrocarbon general anesthetic inhalation agents such as halothane, enflurane, isoflurane, sevoflurane, desflurane are used, and where succinylcholine is used routinely (not for emergency use). Should MH (malignant hyperthermia) develop, treatment with Dantrolene should be initiated before the patient is transported to an emergency room.

Notes from Executive Director Kevin B. Earle

A WORD TO THE WISE...

Many dentists are working in non ownership, associate positions and many more are considering such positions. The vast majority of these types of arrangements may be beneficial to the associate, who gains valuable experience in practice, but there are some situations that can and should be avoided. Many offices are staffed by associate dentists. In some instances, the owner is not located on site and may not be directly involved with patient care. The Board, the Office of the Insurance Fraud Prosecutor and many insurance companies are also mindful that some practices may not be owned and operated by licensed health care professionals. Non licensee ownership of health care practices has long been impermissible pursuant to the Dental Practice Act and Board regulations. As such, any associate employed in this capacity bears full responsibility for the treatment rendered to patients and for the charges made to insurance carriers as a function of his or her professional license. Any licensee identified in the patient record as the dentist of record pursuant to Board regulations contained in N.J.A.C. 13:30 8.15, is cautioned that he or she bears primary responsibility for assuring the proper implementation of dental services to the patient.

- Be alert to situations where the owner, or an absentee owner, demands certain treatment protocols regardless of the patient's clinical condition. When questions are raised, the clinical necessity of the treatment should be demonstrated in the patient record.
- Be alert to business arrangements and practices that are not owned and operated by licensed dentists or dentists



in combination with other licensed health care professionals. Likewise, dentistry may not be practiced in the form of a general business corporation (such as ABC Dentistry, Inc.). This may be a tip off that the practice is not owned by dentists.

- Always remain aware of what is being billed to insurance companies for your patients. As the attending dentist, you may be held responsible if billing is generated for services that were not performed or were incorrectly coded and billed.
- As the dentist of record, do not permit others to order or perform any procedure or diagnostic test on your patient, unless your clinical records (which must accurately reflect the patient's condition) justify the necessity of such a procedure or test.
 - Be aware of compensation being given to anyone including lawyers, suppliers, agents or the patients themselves as inducement to become a patient. The payment of fees or any form of remuneration for the referral of a patient for a service, product, drug or device or to purchase a product, drug or device is a violation of Board regulations. In addition, the use of so called runners is now a criminal offense in the State of New Jersey.
- Be mindful of Board regulations that identify those tasks or functions which may be delegated to unlicensed assistants, as well as the limitations on the scope of practice of a registered dental hygienist and registered dental assistant. When you are the only licensed dentist on premises, you bear the professional responsibility for the actions of any dental auxiliary working at that time. These dental auxiliaries may not perform services on patients without the direct supervision of a licensed dentist, who must be physically present on the premises at all times.

About the Executive Director

Kevin B. Earle was appointed executive director of the Board of Dentistry effective August 1, 2000. Mr. Earle joined the New Jersey Division of Consumer Affairs in 1991 and served as the first executive director of the State Board of Real Estate Appraisers. He later added the State Board of Architects, the State Board of Professional Planners and the Joint Committee of Architect and Engineers to his responsibilities. In 1994, Mr. Earle was appointed executive director of the State Board of Medical Examiners. He served in that position until 1998. From 1998 to August 2000, Mr. Earle served as executive director of the State Board of Accountancy and the State Board of Chiropractic Examiners. He is presently assigned to the State Board of Chiropractic Examiners and the State Board of Dentistry.

Before joining the Division of Consumer Affairs, Mr. Earle had a career in the private sector in the homebuilding industry where he served as president of his local builder's association and as director of the New Jersey Builders Association, as well as the National Association of Homebuilders.

Mr. Earle holds a bachelor's degree in Public Affairs from George Washington University and an M.B.A. from the Rutgers University Graduate School of Management. He is currently an M.P.H. candidate at Columbia University.

practitioner issues

Answers to Frequently Asked Scope of Practice Questions:

For the full scope of practice of dental auxiliaries, see Board regulations at [N.J.A.C. 13:30 1A.2](#) (dental hygienists); [N.J.A.C. 13:30 2.2](#) (registered dental assistants); [N.J.A.C. 13:30 2.5](#) (limited registered dental assistant in orthodontics); and [N.J.A.C. 13:30 2.6](#) (unregistered dental assistants). The regulations may also be found on the Board's Web site at www.state.nj.us/lps/ca/dentistry/dentresta.pdf

Registered dental hygienists are permitted to:

- ➔ place intrasuticular therapeutic medications approved by the Food and Drug Administration, as directed by a dentist;
- ➔ fabricate and cement temporary crowns and bridges after preparation of the tooth or teeth by a dentist (this does not include intraoral occlusal adjustment); and
- ➔ apply fluorides and pit and fissure sealants or other topical agents for the prevention of oral disease or discomfort.

Registered dental assistants are permitted to:

- ➔ hold a curing light for any dental procedure; (this does **not** include lasers);
- ➔ fabricate and cement temporary crowns and bridges after preparation of the tooth or teeth by a dentist (this does **not** include intraoral occlusal adjustments);
- ➔ apply topical anesthetic agents; and
- ➔ place and remove retraction cords and medicated pellets.

Bleaching Procedures

Dental assistants and dental hygienists are prohibited from performing bleaching procedures or applying bleaching chemicals. Both dental assistants and hygienists may fabricate trays and provide instructions to patients for the at home use of these materials.

Did you know that...

- ➔ All dental assisting programs contain certain prohibitions which affect dental assistant students. Dental assistant students are not permitted to practice their skills outside of the assistant clinic setting at school, excluding externships. Students are not permitted to provide dental hygiene services to family or friends for practice, regardless of whether a fee is received.
- ➔ Anesthesia permit holders who are invited by a dentist to provide general or conscious sedation anesthesia services in a dental facility must be in compliance with existing Board regulations. Their mobile equipment and supplies must be inspected in the same manner as permit holders who provide their services in one facility. Compliance with the minimum requirements for assisting staff and equipment must be in accordance with Board regulations.
- ➔ The Board has adopted a regulation that provides that when a licensee ceases to be associated with a practice due to the sale of the business, or the licensee's retirement or death, the licensee's name must be removed from the practice within six months of withdrawal. The rule provides an exception for a retired dentist whose name will continue to be part of the practice name, in that instance the dates the licensee engaged in the practice or the word "retired" must be displayed. The status of a deceased dentist whose name will continue to be part of the practice name similarly must be indicated on the letterhead, or in advertisements by using the word "deceased," or by numerals showing the dates the licensee engaged in the practice or by numerals showing the years of the dentist's birth and death. The regulations will ensure that a licensee is not engaging in the practice of dentistry under a practice name that is misleading to the public.
- ➔ When a patient brings in a set of recent radiographs from a previous dentist and does not want a new set, and later decides to leave the practice and requests the original records, the patient is entitled to that original set. However, the Board requires the treating doctor to make diagnostic quality copies of all radiographs and records before returning the originals.

For What It's Worth:

- ➡ The dentist must be physically present in the dental office at all times during treatment procedures in order for a patient to receive treatment by a dental hygienist.
- ➡ Dentists are now permitted to simultaneously supervise up to three dental hygienists.
- ➡ Licensees are obligated to complete continuing education requirements before the close of any biennial registration period. The failure to do so could subject a licensee to formal and public disciplinary action. Dental licenses expire on October 31 of odd numbered years. Dental hygiene licenses expire on December 31 of odd numbered years. Dental assistant licenses expire on December 31 of even numbered years.
- ➡ All licensees have been provided with a copy of the Board's statutes and regulations booklet. Licensees should be mindful of all laws and regulations governing the practice of dentistry, including continuing education deadlines, paying renewal or branch license fees, maintaining at least minimal patient records, reporting incidents involving patients in the office, or failing to report a change of address within 30 days of a move. Regulations are also available on the Board's Web site at; www.state.nj.us/lps/ca/dentistry/dentresta.pdf
- ➡ Under the Board's regulations at N.J.A.C. 13:30 8.15, the dentist of record shall be conspicuously identified on the patient record. If any other dentists or dental hygienists provide treatment or services, any chart entries shall be signed or initialed by those individuals. Likewise, any unlicensed staff should also initial chart entries, record financial matters, telephone calls, or broken appointments.

The Importance of Patient Records...

Remember the old adage: "If it's not in the patient record, it didn't happen!"

As the regulator of dental practice in New Jersey, the Board has an opportunity to review hundreds of dental patient records on an annual basis. In many cases, both the quantity and quality of the documentation contained in the record falls measurably short of the minimum standards required by Board regulations. From a risk management perspective, poor documentation leaves a dentist exposed to potential liability in negligence or malpractice claims. From a Board perspective, the licensee, at the very least, could be cited for violations of the Patient Record Regulation, which is set forth in N.J.A.C. 13:30 8.7.

Licensees are required to prepare and maintain a permanent and contemporaneous patient record for every patient, regardless of whether treatment was actually rendered or a fee was charged. Records of billings made to patients and third party carriers for professional services must be part of the record, and all such billings must accurately reflect the treatment or services given. The following items, at a minimum, are required to be noted in the record:

- ➡ the name, address, and date of birth of the patient and, if a minor, the name of the parent or guardian;
- ➡ the patient's medical history;
- ➡ a record of the results of a clinical examination or an indication of the patient's chief complaint;
- ➡ a treatment plan;
- ➡ dates of each patient visit and a description of the treatment or services rendered at each visit;
- ➡ radiographs, if any, of diagnostic quality and a description of all diagnostic models made, identified with the patient's name and the date;
- ➡ any recommendations or referrals for treatment or consultation by a specialist, including those that were refused by the patient;
- ➡ the dates of each visit by the patient;
- ➡ the date and description of any medications prescribed, dispensed or sold including the dosage, or a copy of any written prescription;
- ➡ complete financial data including the amounts billed to the patient or a third party carrier and the date of each bill and payment; and
- ➡ copies of all claim forms submitted to third party payors, as well as copies of all payment vouchers received.

Dentists should also be aware that special requirements are set forth in Board regulations for computerized recordkeeping systems. When selecting a vendor for such services, compliance with Board regulations should be considered.

Diagnostic Testing for Traumatically Induced T.M.D.

With the passage of the Automobile Insurance Cost Recovery Act (AICRA), the Board of Dentistry was required to develop comprehensive guidelines on the use of diagnostic testing for traumatically induced temporomandibular dysfunction (TMD). The Board recommends that all licensees involved in such treatment and testing become familiar with the current regulations, which became effective in March 1999. The regulation appears in the Board's statute and regulation book (which has been mailed to all licensees) as N.J.A.C. 13:30 8.22, (beginning on page 128). The rule may also be accessed on the Board's Web site at <http://www.state.nj.us/lps/ca/dentistry/dentresta.htm>.

The new regulation identifies which tests may be performed and billed for by dentists. They also establish new requirements to ensure that the tests performed are clinically supported by an appropriate physical examination, that the dentist takes into consideration all previously performed tests relating to the patient's injury, and that the practitioner documents positive and negative observations and clinical indications to support the test. Licensed dentists may charge and bill a third party for the tests listed below. The following tests, when medically necessary, have been determined to have value in the evaluation of traumatic injuries and in the diagnosis and development of a treatment plan.

- Diagnostically acceptable panoramic x ray or transcranial temporomandibular joint x ray.
- Magnetic resonance imaging (MRI), where there are clinical signs of internal derangement such as nonself induced clicking, deviation, limited opening, and pain with a history of trauma to the lower jaw. A MRI is allowable to show displacement of the condylar disc, when it follows a panoramic or transcranial x ray and six to eight weeks of conservative treatment. A MRI may be repeated post surgery and/or post appliance therapy.
- Tomography is acceptable where there are clinical signs of degenerative joint disease as a result of traumatic injury to a temporomandibular joint. Tomograms may not be performed any sooner than twelve months following the traumatic injury.

The regulation specifically identifies those tests the Board has determined do not yield sufficient diagnostic information to identify the presence of TMD resulting from a traumatic injury that is not otherwise available from a comprehensive clinical examination and/or the tests listed above. Licensed dentists in this State are not permitted to charge a patient or bill a third party carrier for the following tests:

- Mandibular tracking
- Surface EMG
- Sonography
- Doppler ultrasound
- Needle EMG
- Electroencephalogram (EEG)
- Thermograms/thermographs
- Video fluoroscopy
- Reflexology

Notwithstanding these restrictions, the tests enumerated above may be performed as long as there is no charge to the patient or third party carriers and only after obtaining written informed consent from the patient.

Continuing Education Tidbits

For dentists:

- Forty hours of continuing education (CE) is required during each biennial registration period;
- no more than ten hours can be devoted to home study courses offered in any medium (video, CD Rom, etc.);
- a maximum amount of five hours of CE credit shall be given for courses in basic CPR;
- a maximum of fifteen hours of CE credit shall be given to a student or instructor for advanced cardiac life support courses;
- a maximum of seven hours of CE credit shall be given for practice management or managed care courses;
- any CE courses taken by a licensee at the direction or order of the Board as a remedial measure may not be applied to fulfill a licensee's regular biennial CE requirement.

For registered dental hygienists and registered dental assistants:

- 10 hours of CE are required during each biennial registration period;
- acceptable forms of CE include preventive services, radiography, dental photography, nutrition, patient counseling, community health, CPR, basic or advanced cardiac life support, as well as courses that relate to the practice of dentistry, including organization, office and records management, communication skills, behavioral science, dental legal matters and methods of health care delivery.

For all licensees:

Records of continuing education are required to be kept for a period of at least four years or two biennial registration periods.

New Board Members Appointed



Louis Cardenas was appointed as a public member of the New Jersey Board of Dentistry by former Governor Christie T. Whitman. Mr. Cardenas is a Senior Business Team Leader with General Mills Corporation and has a long history of involvement in community environmental activities. He is a former deputy state director of the League of United Latin American Citizens. He holds a B.S. degree in marketing management from St. Peter's College and an M.B.A. from Fairleigh Dickinson University.

John F. Ricciani, D.M.D., was appointed by former Governor Christie T. Whitman as a member of the Board of Dentistry. In addition to a private practice in Trenton, Dr. Ricciani serves as an associate clinical professor in the Department of General Dentistry and Community Health at the University of Medicine and Dentistry of New Jersey. Dr. Ricciani has been extremely active in organized dentistry and formerly served as member of the New Jersey Dental Association's (N.J.D.A.) House of Delegates, and was the former general chairman of the General Convention of the N.J.D.A. Dr. Ricciani holds an A.B. degree in biology from Seton Hall University and received his D.M.D. degree from the New Jersey College of Dentistry.



Arnold H. Rosenheck, D.M.D., was appointed to the Board of Dentistry by former Governor Christie T. Whitman. Dr. Rosenheck holds a B.S. Degree from Queens College and a D.M.D. from Fairleigh Dickinson University. Dr. Rosenheck is a practicing oral surgeon and is a diplomat of the American Board of Oral and Maxillofacial Surgery. He currently serves as a member of the full time faculty of the New Jersey School of Dentistry, and is Assistant Dean for Hospital Affairs and Institutional Development of the School of Dentistry. Formerly, Dr. Rosenheck served for four years as the chairman of the Board of Trustees of the University of Medicine and Dentistry of New Jersey.

Contact with Board Members

The Board operates in a quasi judicial capacity when regulating the practice of dentistry. Contacting Board members directly on any matter that might potentially result in a disciplinary action against a licensee who has or will soon appear before the Board is considered, under the law, an *ex parte* communication, which is required to be reported to the Attorney General and must be made a part of the public record. Ultimately, such a communication may cause the Board member to be recused from consideration of a question or controversy that comes before the Board. Board members must provide the opportunity for individuals to present both sides of an issue before the Board can render an opinion. Licensees should direct any inquiry concerning a Board matter to the Board office for inclusion on a Board meeting agenda.

Board Actions

1999

Edmund Abavana, D.D.S.

DI 16941 Camden

Final Order of Discipline filed November 18, 1999. Altered waste tracking documents and failed to provide proof of continuing education credits. ORDERED: 5-year suspension, the entire period stayed and to be served as a probationary period, random unannounced audits, civil penalties of \$2,000 and costs.

Edmund M. Caruso, D.M.D.

DI 15698 Jersey City

Final Order of Discipline filed November 4, 1999. Failed to comply with a Consent Order issued by the Board regarding a patient complaint. ORDERED: 30-day suspension, license shall remain suspended until he complies with the following: \$2,657 in restitution to patient, \$1,133 for penalties and costs for the Consent Order, submit proof of 54 hours of continuing education, civil penalty of \$2,500.

Guillermo Cordero a/k/a Senor Guillermo (unlicensed)

Consent Order and Judgement imposing permanent injunction, civil penalties, costs and counsel fees, filed October 14, 1999. Unlicensed practice of dentistry. ORDERED: Permanently enjoined from offering or performing any services, costs of \$5,755.62 and civil penalties of \$5,000.

Floyd DeCheser, D.D.S.

DI 6418 West Orange

Final Order of Discipline filed November 22, 1999. Failed to comply with the Board's order requiring submission of proof of continuing education credits. ORDERED: 60-day suspension and the license shall not be restored until proof of completion of 79 hours of continuing education is submitted and a civil penalty of \$1,000.

Alfred D. Dennis, D.M.D.

DI 16782 Willingboro

Consent Order filed October 7, 1999. Permitted an unlicensed person to perform activities restricted by law to licensed individuals. Those activities include: taking x rays, taking alginate impressions, and performing prophylactic treatments on patients. ORDERED: to cease and desist from permitting unlicensed persons to perform activities restricted by law. Civil penalty in the amount of \$10,000 (\$2,500 for each of four violations) and pay costs of \$2,552.25.

Nemish Desai, D.D.S.

DI 18018 Elizabeth

Final Order of Discipline filed October 18, 1999. Engaged in the practice of dentistry without a current registration as he had not renewed for the period November 1, 1997 through October 31, 1999, and that he failed to complete continuing education as required by the consent order entered on May 7, 1997. ORDERED: License suspended for 45 days, prior to resuming active practice respondent must pay late fee of \$100 and renewal fees, and submit proof of 80 hours of continuing education and a civil penalty of \$2,500.

Roger T. Doyle, D.D.S.

DI 08516 Jersey City

Final Order of Discipline filed October 7, 1999. Failed to explain his delay in producing records sought by the Board, failed to personally sign submissions to a third party payor and failed to produce in a timely fashion documentation of continuing education for the renewal period. ORDERED: Penalty of \$1,000 for failure to cooperate and \$500 for failure to sign forms for third party payors.

Gilbert Glass, D.M.D.

DI 10004 Fair Haven

Order of Reinstatement filed November 18, 1999. License was suspended by the Board on July 23, 1997 for a period of 5 years, the first two years as an active suspension followed by a three-year probationary period. The suspension was based upon a conviction of two counts of theft by deception in connection with the submission of insurance claims. Dr. Glass has complied with the terms of the Board's Consent Order. ORDERED: Reinstatement of license and random unannounced audits.

David Illes, D.D.S.

DI 13098 Edison

Final Order of Discipline filed November 11, 1999. Respondent submitted an inaccurate insurance claim form, which was a single incident in 1994. \$4,500 civil penalty has been paid. ORDERED: Two-year suspension, suspension stayed and served as a period of probation and random audits.

Lewis M. Irving, Jr., D.M.D.

DI 16344 Bridgeton

Order of Reinstatement effective May 24, 1999, filed September 29, 1999. License was revoked by the Board on March 6, 1997 following his conviction for theft by deception related to Medicaid. ORDERED: Random unannounced audits of patient and billing records for a period of two years at the expense of the respondent.

Board Actions

Richard Jung, D.D.S.
DI 18380 Palisades Park

Consent Order filed October 27, 1999. Failed to properly perform services on patient's teeth necessitating re-treatment. ORDERED: Civil penalties of \$2,500 and costs of \$253.

John Kirkowski, D.M.D.
DI 8940 Sparta

Final Order of Discipline filed November 8, 1999. Engaged in conduct involving fraud in connection with the submission of insurance claims. Paid a civil penalty of \$3,000 in an action by the Office of Insurance Fraud Prosecutor and reimbursed insurance company. ORDERED: Two-year suspension, stayed and served as a period of probation and random audits.

Martin Langlieb, D.D.S.
DI 6798 Fair Lawn

Consent Order filed on May 20, 1999. Action based upon evidence of unsanitary conditions. ORDERED: Cease and desist in practice of dentistry; secure services of medical waste contractor; complete 21 hours of continuing education in infection control, aseptic technique and OSHA requirements; provide proof of CE for 1997-1999 registration period. Prior to resumption of practice, office to be inspected. Payment of costs of investigation.

Bruce Littman, D.D.S.
DI 11316 Parlin

Consent Order filed October 18, 1999. Failed to maintain adequate treatment records which resulted in the submission of inaccurate claims to the insurance carrier. The Board did not find any evidence that respondent intended to submit inaccurate claims. ORDERED: Civil penalties of \$2,500 for failing to maintain adequate records, costs of \$132 and random unannounced audits of patient records and billing records.

Roney Lopes
(unlicensed)

Order for Judgement filed November 5, 1999. Practicing dentistry without a license. ORDERED: \$2,500 penalty to the Board of Dentistry and \$7,500 to the Division of Consumer Affairs for falsely representing himself as being licensed to practice dentistry, investigation costs of \$5,380.62 and attorney fees of \$978.82.

Modern Dental Concepts, located at 1745A Deptford Center Road in Deptford
Jaime M. Levy, D.M.D., Jeffrey L. Schupper, D.M.D., Michael S. Ayes, D.D.S., Anthony M. Gacita, D.M.D.,

Seyed M. Shamseddin, D.D.S., Richard L. Rush, D.D.S., Carla A. McGruder, D.M.D.

Interim Consent Order imposing temporary restrictions filed October 7, 1999. Based upon unsanitary conditions in office. Respondents were required to cease and desist from practice of dentistry at the office and were requested to put the office in a clean and neat condition comporting with accepted dental sanitary practices.

Interim Order filed October 18, 1999. Permitted respondents to resume practice at the office and required proof within 30 days that staff members had received all vaccinations required by state and federal law.

NOTE: See also Consent Orders of March 21, 2001 and May 17, 2001.

James D. Muglia, D.D.S.
DI 9630 Nutley

Consent order filed October 27, 1999. Failed to treat within the standard of care and poor recordkeeping, including failure to use periodontal charting and billing for procedures not recorded. ORDERED: 14 hours of continuing education in crowns and bridges, \$2,942 reimbursement to a patient, \$500 civil penalty and costs of \$225.84.

Salvador Rivas
(unlicensed)

Consent Order and Judgement filed October 6, 1999. Practiced dentistry without a license. ORDERED: That Salvador Rivas is permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist or dental hygienist or requiring registration in the State of New Jersey as a dental assistant unless and until duly licensed or registered to do so.

Mark A. Santomenna, D.D.S.
DI 12746 North Bergen

Consent Order filed October 20, 1999. Dentist intercepted reimbursement checks made payable to plan members and depositing checks directly in his bank account while simultaneously billing patients for the same services for which reimbursement was made by the insurance company. ORDERED: Civil penalty of \$10,000, random unannounced audits, cease and desist from unprofessional conduct in connection with insurance submissions.

Batur Sekendur, D.D.S.
DI 13128 Teaneck

Order of Reinstatement filed October 18, 1999. Reinstatement followed by disclosure of a medical condition that impacted upon his ability to practice dentistry with reason-

Board Actions

able skill and safety. A medical examination by a neurologist accepted by the Board supported a return to practice without supervision. ORDERED: Reinstatement of license with practice limited to treatment of temporomandibular joint dysfunction and ora-facial pain, Phase I therapy.

Ralph Sharow , D.D.S.

DI 16103 Freehold

Consent Order filed October 28, 1999. Did not complete the treatment started on a bridge yet billed a patient for the work and poor recordkeeping. ORDERED: Reimburse patient \$2,146.70 and forgive balance, civil penalties of \$1,000 and costs of \$58.20.

Roshana Sherzoy, D.D.S.

DI 17665 Englewood

Final Decision and Order filed December 1, 1999. Uniform Penalty letter issued for an advertisement which failed to include the name and address or telephone number of any licensee. A hearing was held and the Board determined a penalty to be assessed. ORDERED: Cease and desist from further violations and shall not advertise pain free dentistry, a civil penalty of \$500 and \$62.40 in costs.

Robert E. Wollman, D.D.S.

DI 11414 Jackson

Modification of November 18, 1998 Reinstatement Order Filed September 2, 1999: The requirement to practice under the supervision by licensed dentist has been lifted. ORDERED: Continued urine monitoring randomly twice a month, shall attend NA or AA meeting, shall not prescribe CDS for his personal use nor shall he possess such substances. Permitted to prescribe CDS for patients using triplicate prescription pads. Modification of the terms of the Order may be applied for no sooner than six months from the entry of this Order.

2000

Roger J. Ames, D.D.S.

DI 10273 Maplewood

Consent Order filed April 20, 2000. Failed to conform to appropriate standards of dental practice by instructing his dental hygienist to apply bleaching materials to a patient's teeth during a laser bleaching procedure. ORDERED: Civil penalty of \$1,000 and costs.

Robert Armento, D.D.S.

DI 7403 Toms River

Order filed August 24, 2000. Convicted of a federal crime in 1994 for Conspiracy to Offer a Gratuity to a Public Official. ORDERED: 3-year suspension, the entire suspen-

sion stayed and served as a period of suspension, civil penalty of \$1,000 and costs.

Andrea Barrett, D.D.S.

DI 15348

Consent Order filed May 17, 2000. Submitted claims to insurance company for services not rendered, paid restitution to insurance company and paid a civil penalty to Division of Insurance Fraud Prosecutor without admitting or denying the allegations. ORDERED: Suspension for 90 days, stayed and served as a period of probation.

Robert Bates, R.D.A.

DP 3082 Pennsauken

Final Order of Discipline filed July 12, 2000. Failed to submit proof of credits for the 1999 2000 biennial renewal period. The Board granted an extension to submit credits and did not provide proof of continuing education credits. ORDERED: 60 days suspension and the license shall not be restored until he provides proof of outstanding credits and a civil penalty of \$300.

Elliot Brahms, D.D.S.

DI 9517 Jersey City

Consent Order filed November 21, 2000. Engaged in inappropriate billing practices resulting in submissions to insurance companies of claim forms that did not accurately reflect the work performed; failed to keep accurate records for patients, failed to make an appropriate diagnosis and treatment plan, failed to take adequate x-rays, failed to recognize an existing lesion and failed to provide proof of completion of continuing education courses required for the 1995-1997 and 1997-1999 renewal periods. ORDERED: Continuing education; 21 hours in oral diagnosis and treatment planning, 21 hours in periodontics and 7 hours in pharmacology. Must take 40 hours of continuing education for which he failed to submit proof for the renewal periods. Civil penalties of \$2,500, which sum represents \$1,000 for improper billing to an insurance carrier (\$500 for each of two instances) \$1,000 for repeated acts of negligence, \$250 for poor recordkeeping and \$250 for failing to provide proof of continuing education credits. Costs of \$246.83.

Teodoro C. Briones, D.D.S.

DI 18104 Jersey City

Order modifying Final Order of Discipline filed March 28, 2000. Failed to disclose an arrest on a renewal application. ORDERED: Suspension for a period of two years, six months' active and the remaining 18 months as probation, civil penalty reduced to \$1,000 and a psychological evaluation prior to resuming practice.

Board Actions

Joseph Brown, D.D.S.

DI 13607 Irvington

Final Order of Discipline filed November 1, 2000. Engaged in acts of misrepresentation by submitting a CDS registration application to the Drug Control Unit of the New Jersey Department of Law and Public Safety and answering "NO" to the question on that application regarding any restrictions imposed on his license. ORDERED: Reprimand for his conduct and violations of law.

Ronald Creecy, D.D.S.

DI 16228 Bridgeton

Consent Order filed March 20, 2000. Submitted claims for services which were not rendered. ORDERED: Two-year period of probation, random audits and costs.

Vincent P. Deangelis, Jr. D.M.D.

DI 18727 Ocean

Consent Order filed February 17, 2000. Inadequate treatment plan for two crowns, filling teeth without having taken x rays, failed to have a working x ray developer for a period of more than two weeks and failed to keep adequate patient records. ORDERED: 14 hours of continuing education, restitution of \$860, civil penalty of \$2,000 and \$241.83 in costs.

Robert N. Del Presto, D.M.D.

DI 18212 Brick

Consent Order filed March 2, 2000. Failed to comply with the advertising regulations, advertised upper and lower dentures including an exam, x rays and a six-month post insertion care visit for \$999.99 without indicating normal fee for same service. ORDERED: \$500 penalty and cost of the investigation.

Nemish Desai, D.D.S. a/k/a Nishit Desai, D.D.S. a/k/a Jay Desai. D.D.S.

Consent Order filed December 20, 2000. Prescribed medications to individuals who were not patients. ORDERED: One year suspension of which three months is an active suspension. Civil penalties of \$2,500 and costs of \$1,285.33.

Helena Devaris, D.D.S.

DI 13847 Fairlawn

Consent Order filed February 17, 2000. False and misleading advertisements and failure to complete continuing education. ORDERED: Civil penalty of \$500 for the advertising penalty and \$1,000 for not providing adequate proof of continuing education credits and costs of \$203.26.

Donald Dobrowolski, D.M.D.

DI 13038 Brick

Consent Order of Voluntary Surrender of Licensure filed January 21, 2000. Respondent voluntarily surrendered his license to practice dentistry without prejudice following receipt of information that he had tested positive for cocaine metabolites on December 21, 1999. ORDERED: Surrender license to practice dentistry for an indefinite period of time, evaluation by psychiatrist or psychologist, urine monitoring not less than two times per week, continue counseling, support groups and shall not possess any controlled dangerous substances.

Donald Dobrowolski, D.D.S.

DI 13038 Brick

Order of Reinstatement filed April 20, 2000. Reinstatement with restrictions: urine monitoring each day he engages in the practice of dentistry, continue counseling, support groups, shall not possess controlled dangerous substances except to a bona fide prescription written by a physician or dentist for good medical or dental cause for his own treatment.

Paul S. Freeman, D.D.S.

DI 6141 Jersey City

Consent Order filed August 23, 2000. Failed to monitor adequately the presence of a root tip and constructed a bridge with open margins. ORDERED: 21 hours of continuing education, restitution of \$948 to the patient and costs.

Jack Martin Gelb, D.D.S.

DI 96120 Stamford, CT

Order of Reinstatement filed February 8, 2000. The Board revoked his license to practice on September 21, 1987 following a conviction in New York State of two counts of grand larceny in connection with the submission of insurance claims relating to dental treatment. ORDERED: reinstate license and random unannounced audits.

Marietta M. Halum, D.D.S.

DI 16357 Jersey City

Consent Order filed May 17, 2000. Permitted an unlicensed individual to perform dental procedures reserved by law to licensed individuals. ORDERED: 5-year suspension, the entire amount stayed to be served as a probationary period, random unannounced audits of her practice, civil penalty of \$10,000 and costs.

Board Actions

Joel P. Kurtz

DI 9153 Newton

Consent Order filed May 3, 2000. Prescribed certain prescriptions for himself and/or for members of his office staff for purposes unrelated to the practice of dentistry. ORDERED: Cease and desist from ordering and/or reordering prescription medications for conditions unrelated to the practice of dentistry, civil penalty of \$2,500 and costs.

Norman H. Kurtzman, D.D.S.

DI 10377 Voorhees

Consent Order of Voluntary Surrender of Licensure filed April 5, 2000. Wrote prescriptions for controlled dangerous substances in the names of patients and/or relatives and had obtained those prescriptions for personal use. ORDERED: 6-month suspension, prior to any restoration respondent must provide evidence that he is capable of discharging the functions of a licensee, and must provide Board with reports from mental health professionals.

**Ismari Labrada a/k/a Eneida Labrada
(unlicensed)**

Consent Order and Judgement filed July 21, 2000. Unlicensed practice. ORDERED: Permanently enjoined from offering or performing dental services and civil penalties of \$10,000.

Martin Langlieb, D.D.S.

DI 06798 Fairlawn

Order of Reinstatement Filed January 21, 2000. License previously suspended for unsanitary conditions. Following receipt of a report proving compliance with the terms of the May 20, 1999 Consent Order, license to practice dentistry was reinstated effective August 19, 1999.

Edgar P. Lea, D.D.S.

DI 7435 Phillipsburg

Consent Order filed April 20, 2000. Diagnosis and treatment plans for three patients were inadequate, treatment plans were substandard, failure to take adequate x rays, treatment outside the standard of care and failed to keep adequate records. ORDERED: 14 hours of continuing education, civil penalties of \$8,000 and costs.

Michael Mastromarino, D.D.S.

DI 20214 Englewood Cliffs

Consent Order of Voluntary Surrender of Licensure. Respondent arrested for possession of Demerol and a hypodermic needle and being under the influence of a controlled dangerous substance. Urine and toxicology show evidence of use of cocaine and Meperidine, a Schedule II C.D.S.

ORDERED: Surrender of license for a minimum period of six months; required to demonstrate competency and ongoing recovery prior to reinstatement.

Marc I. Moscovitz, D.M.D.

DI 17038 Bloomfield

Consent Order filed March 15, 2000. Failed to treat within the standard of care. ORDERED: 7 hours of continuing education, restitution of \$3,475 and costs.

Salvatore Napoli, M.D., D.D.S

DI 14566 Denville

Reinstatement Order filed April 13, 2000. May 1996 relapsed, re-entered treatment and voluntarily ceased practicing. ORDERED: Reinstated with restrictions: urine monitoring 2 times per week, random and unannounced audits of samples, attend AA and NA meetings no less than three times per week, continue therapy, not to prescribe CDS for personal use, triplicate prescriptions, witness present when administering CDS and a monitor during procedures.

Michael F. Parise, D.D.S.

DI 14799 North Brunswick

Order of Reinstatement filed March 20, 2000. Voluntarily surrendered license in January 1997 followed by Board orders for monitoring of substance abuse problems. ORDERED: Reinstated license with restrictions: monitor of dental practice, shall not hold a registration for controlled dangerous substances, urine monitoring not less than one time per week, continued counseling, attendance at support groups and pay reinstatement fee.

Paul L. Pasternack, D.D.S.

DI 9548 Voorhees

Consent Order filed November 21, 2000. Respondent failed to maintain a satisfactory level of cleanliness in his office. ORDERED: Civil penalty of \$1,000 and costs of \$1,653.81.

Rajal J. Patel, D.D.S.

DI 19424 Orange

Consent Order filed on September 6, 2000. Submitted forms to an insurance company seeking reimbursement for treatment where the dates on the forms did not correspond to the dates of treatment. ORDERED: License to practice dentistry in the State of New Jersey is suspended effective October 1, 2000 for a period of 90 days, of which 30 days, specifically from December 1 through December 30, 2000 shall be served as a period of active suspension. The remainder of the suspension shall be stayed and served as a period of probation. Civil penalty of \$2,500 for conduct to the

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fraudulent submissions and cost of the investigation in the amount of \$51.29.

Anthony Peloso
(unlicensed)

Consent Order with permanent restraints filed January 24, 2000. Unlicensed practice of Dentistry by engaging in the repair of dentures without a written prescription from a licensed and registered dentist. ORDERED: Permanently enjoined from engaging or offering to engage in any activity within the practice of dentistry and a civil penalty of \$1,300.

Manuel Rocha
(unlicensed)

Consent Order and Judgment filed April 13, 2000. Unlicensed practice of dentistry by engaging in services which requires licensure. ORDERED: Permanently enjoined from offering or performing any dental services.

Arturo Sanchez, D.D.S.
DI 18786 Newark

Consent Order filed December 6, 2000. Respondent hired an unlicensed individual as a chair-side assistant and rendered dental services to patients. Additionally, he allowed his dental assistants to perform duties outside their scope of practice. ORDERED: License to practice dentistry suspended for one year of which three months shall be served as an active suspension. Cease and desist from any and all unlawful acts. Civil penalty of \$10,000 and costs of \$3,372.95

Batur Sekendur, D.D.S.
DI 13128 Federal Way, WA

Order of Reinstatement filed December 6, 2000. ORDERED: The limitations imposed on respondent's license to practice dentistry in the State of New Jersey, specifically the limitation to Temporal Mandibular Dysfunction and oral-facial pain, Phase I therapy in the Board's order of October 18, 1999, are terminated effective immediately.

Anthony Sollazzo, D.D.S.
DI 7284 Kendall Park

Consent Order filed November 1, 2000. Failed to conform to standard dental practice: Did not wear gloves unless requested to do so by a patient; the refrigerator contained food along with dental supplies and three cartons of medications with expired dates; no emergency kit was present in the office and the autoclave had never been tested by an independent agency. ORDERED: Civil penalty of \$2,500 for maintaining expired medications in his dental office, 14 hours of continuing education in infection control, random audits and costs of \$434.59.

Laurie M. Spavlik, R.D.A.
DP3016 Lindenwold

Final Order of Discipline filed October 13, 2000. Admitted stealing prescription blanks from her employer and forging them to obtain Percocet for her personal use on three separate occasions. ORDERED: Dental assistant registration in the State of New Jersey has been revoked for a period of 5 years.

Sharon J. Stancarone, R.D.A.
DP 2537 Browns Mills

Consent Order of Voluntary Surrender of Registration filed November 21, 2000. Obtained a prescription blank from her employer's office and fraudulently wrote a prescription in her name for Loratab, a controlled dangerous substance. ORDERED: Surrender of her registration as a dental assistant.

Gerald Tuccillo, D.D.S.
DI 6813 Trenton

Consent Order filed November 21, 2000. Failed to keep accurate patient and billing records. ORDERED: Civil penalties in the amount of \$2,500 for failing to maintain adequate records.

Jose A. Ulloque
(Unlicensed)

Consent Order and Judgment filed December 6, 2000. Respondent practiced dentistry and held himself out as a practicing dentist. ORDERED: Permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist or dental hygienist or requiring registration in the State of New Jersey as a dental assistant unless and until duly licensed to do so. Civil penalty of \$4,000.

Alberto Villalobos, D.D.S.
DI 16247 Boca Raton, Florida

Consent Order of Voluntary Surrender filed November 21, 2000. Answered affirmatively to question on renewal application number 2, "Have you been arrested, charged or convicted for the violation of any law or regulation since your last renewal?" He had been arrested on September 5, 1997 and indicted on July 17, 1998 for operating a motor vehicle under the influence of drugs and was sentenced to three years probation. He moved to Florida and will be continuing his rehabilitation in that state and does not intend to return to New Jersey for several years. ORDERED: License to practice dentistry is voluntarily surrendered.

Board Actions

Dominic A. Viscomi, D.D.S.

DI 8854 Hellertown, PA

Consent Order filed December 20, 2000. Submitted higher fees to insurance companies for accident related cases than for the same dental work performed for nonaccident related cases; submitted an insurance claim form with a date of service other than the date upon which the service was actually rendered. ORDERED: One year suspension one month active, the remainder stayed and served as a period of probation. License placed on "retired" status. If a request is made for "active" status a application must be submitted to the Board, including proof of medical ability to return to the practice of Dentistry. Cease and desist from the practice of maintaining and utilizing two different fee schedules for accident and non-accident related cases. Civil penalty of \$1,000 and costs of \$496.

Kevin Ward, D.D.S.

DI 4747 Union City

Order to Show Cause and for Preliminary Temporary Practice Limitations, Notice of Hearing and Requirement to File Answer, filed April 5, 2000. ORDERED: Dr. Ward shall appear before the Board on April 10, 2000 to show cause why an order suspending his license to practice dentistry should not be entered.

Consent Order of Temporary Suspension of Clinical Practice filed April 10, 2000. ORDERED: License to practice dentistry temporarily limited; suspend and prohibit the practice of clinical dentistry pending a final resolution by the Board of the charges in the Verified Complaint and refrain from exercising privileges to prescribe.

Order filed August 16, 2000. ORDERED: that all the terms and conditions as agreed and ordered in the Consent Order of April 10, 2000, including the limitation on his practice of clinical dentistry, shall remain in effect pending a final decision by the Board.

Consent Order filed on November 1, 2000. Respondent shall surrender license to practice dentistry to be deemed revocation. No application for reinstatement shall be entertained prior to three years from the filing date of this Order. Costs and attorney fees of \$60,219.41 and civil penalties of \$10,000. Independent psychiatric examination to be conducted within one year of the Order with report to be forwarded to the Board. If treatment is recommended, Respondent shall undergo such treatment. Six months prior to application reinstatement, second report by the same professional. Minimum of sixty hours of continuing education to assure knowledge of safe dental care and procedures with fifty percent of the credits addressing patient management and safety issues. Continuing education shall be in addition to twenty hours required of revoked licensees by statute.

Board reserves the right to impose limitation on practice upon possible reinstatement.

2001

Larry Berman, D.D.S.

DI 13347 Highland Park

Consent Order filed on November 11, 2001. Dental office maintained in an unsanitary condition. ORDERED: One year suspension stayed and served as a period of probation; civil penalties in the amount of \$7,500 and costs of \$1,568.28; random audits.

James Cally, D.M.D.

DI 18713 Lambertville

Settlement Letter in Lieu of Formal Disciplinary Proceedings acknowledged on July 27, 2001. Deviation from the standard of care in treatment and insufficient diagnostic materials such as x-rays and study models and exhibited deficiencies in treatment planning for the patient. Agreed to pay the costs in the amount of \$298.78 and to complete 28 hours of continuing education to include 7 hours in crown and bridge, 14 hours in diagnosis and treatment planning and 7 hours in record keeping.

John J. Carchman, D.D.S.

DI 6455 New Monmouth

Order of Temporary Suspension of Licensure filed on August 1, 2001. Dental office maintained without adherence to appropriate sanitary practices constituting gross and repeated acts of negligence, professional misconduct and demonstrating a clear and imminent danger to the public health, safety and welfare. Nature and quantity of prescribing of Controlled Dangerous Substances, while also failing to renew his New Jersey Controlled Dangerous Substance registration. Failure to submit a written statement under oath concerning his rendition of dental services to patients and his failure to produce dental records for patients violated the Board's Duty to Cooperate regulation and was in violation of the Board's patient records regulation. ORDERED; License to practice dentistry in the State of New Jersey is temporarily suspended effective July 18, 2001 pending plenary proceedings.

Stanley Cohen, D.D.S.

DI 7723 East Brunswick

Consent Order filed on January 17, 2001. Failed to properly diagnose and treat a patient, failed to maintain an accurate and complete patient chart, and also failed to obtain an updated health history. ORDERED: Continuing education of seven hours in diagnosis and treatment planning and fourteen hours in periodontics. Civil penalties in the amount of \$2,000 and costs of \$196.25.

Board Actions

Donald Dobrowolski, D.D.S.

DI 13038 Brick

Modification of Order of Reinstatement of April 20, 2000, filed on April 23, 2001. ORDERED: Urine monitoring not less than six times per month. Any urine specimen that reflects low creatinine and low specific gravity may be deemed a positive urine for purposes of Board action. All other terms of the Board's order of April 20, 2000 remained in effect.

Ira Eisenstein, D.M.D.

DI 11150 Mount Laurel

Order Modifying Restrictions on License filed on July 11, 2001. Seeking relief from the requirements of the August 1999 Order. ORDERED: The provisions of the order entered on August 4, 1999, which required the practice of dentistry only under supervision of a licensed New Jersey dentist, are vacated.

Michael Felber, D.D.S.

DI 20145 Oradell

Consent Order filed on November 14, 2001. Arrested for possession of CDS, marijuana, and drug paraphernalia. ORDERED: Submit to urine samples four times a month; evaluation by the New Jersey Chemical Dependency Program or the Physicians' Health Program; and costs in the amount of \$663.93. May apply for modification of the terms of the order no sooner than six months.

Sean Fenton, D.M.D.

DI 12130 Branchburg

Settlement Letter filed on November 20, 2001. Engaged in a treatment plan for one patient which did not meet an appropriate standard of care. Respondent agrees to pay restitution of \$9,700; complete 35 hours of board approved continuing education and pay costs of \$193.13.

Armando Fernandez, D.D.S.

DI 13473 Teaneck

Consent Order filed on January 17, 2001. Failed to maintain records in connection with his treatment of a patient. ORDERED: Restitution to the patient in the amount of \$720 and a civil penalty of \$1,250.

Sandra A. Ferrara, D.M.D.

DI 19636 Red Bank

Final Order of Discipline filed on August 1, 2001. Failed to comply with the terms of the Consent Order filed by the Board on September 6, 2000 for failing to complete 28 hours of remedial continuing education. ORDERED: Shall complete the continuing education requirements as set forth in

the September 6, 2000 consent order. Failure to complete the continuing education by November 1, 2001 will result in a indefinite suspension. Civil penalty of \$2,500.

Bruce S. Friedman, D.D.S.

Orange, CT

Final Order of Denial of Licensure filed on October 9, 2001. Plea of *nolo contendere* to the charges of larceny in the third degree provides grounds for the denial of the application to practice dentistry in the State of New Jersey. ORDERED: License to practice dentistry denied.

Judd Garson, D.D.S.

DI 13007 Old Bridge

Consent Order of Voluntary Surrender of License filed on June 7, 2001. Arrested for possession of three prescription bottles, each bearing different labels. Respondent wrote controlled dangerous substances in the names of patients and had obtained the prescriptions for his own personal use. ORDERED: License to practice dentistry shall be suspended for a minimum period of six months. Must provide reports to the board from health professionals who participated in his recovery. Must demonstrate competency and continuing recovery prior to reinstatement.

Marc Barry Gelber, D.M.D.

DI 08895 Red Bank

Final Decision and Order after hearing filed on October 30, 2001. Failed to submit the required credit hours of continuing education for two biennial periods. ORDERED: Following review of submissions, given the opportunity to provide proof by date certain or license to be suspended until compliance with order. Civil penalty in the amount of \$2,500.00 and costs in the amount of \$295.00. Continuing education audits for the next three renewal periods.

Ariel Gutierrez

(unlicensed)

Order filed on April 4, 2001. ORDERED: Respondent is permanently enjoined from offering or performing any act or acts constituting the practice of dentistry in the State of New Jersey unless and until he is licensed and registered. Respondent is enjoined from the employment of false pretense by engaging or offering to engage in any activity within the practice of dentistry in the State of New Jersey. Civil penalty of \$500 and investigative costs of \$1700.

Joseph Hannah, D.M.D.

DI 14682 Toms River

Modification of Order of Reinstatement filed on July 11, 2001. Seeking to modify certain restrictions to practice den-

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tistry. ORDERED: Psychotherapy not less than one time per month, quarterly reports from treating psychologist, continue to bar to treating any patient under the age of 18, may treat female adult patients only when an approved monitor is present, monitor shall be in direct line of observation of the patient.

Bryan Harvey, D.D.S. Montclair

Order filed on October 9, 2001. Action taken by the State of Ohio Board of Dentistry based upon unlawful use of controlled dangerous substances was disclosed in an application for a residency permit. ORDERED: Residency permit granted with restrictions. Reports by supervising dentist of residency program; submit to random urine sampling two times a week at a laboratory facility approved by the Board; submit to a psychiatric assessment and comply with any recommended therapeutic regime for treatment or counseling; continue his participation with the Physicians' Health Program and have monthly face-to-face contact with a representative from that program; provide the Board with quarterly reports regarding his progress in counseling; attend support groups, including NA or AA, not less than three times per week; abstain from the use of alcohol and controlled dangerous substances and shall not possess any controlled dangerous substance except pursuant to a bona fide prescription written by a physician or dentist for good medical cause or dental cause.

Michael Honrychs, D.M.D. DI 015703 Voorhees

Order filed on August 1, 2001. Modifications of the previously imposed restrictions. ORDERED: Submit urine sample four times a month, attend support groups two times per week and not possess any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause. May obtain his CDS registration and use triplicate prescription pads for each prescription written with one copy to the Board with patient record. May apply for modifications of the terms of order not sooner than one year following its entry.

David W. Hostnik, D.M.D. DI 14380 Middletown

Consent Order filed on July 23, 2001. Rendered treatment to a patient in a manner not consistent with the standard of care in this state. ORDERED: Complete 28 hours of continuing education including fourteen hours in didactic crown and bridge, seven hours in "hands on" crown and bridge and seven hours in diagnosis and treatment planning. Restitution of \$500 and \$2,864 to two patients. Civil penalty of \$500 and costs in the amount of \$292.34.

Ngan Hrai, D.M.D. DI 15895 Clifton

Settlement Letter filed on April 11, 2001. Violation of Uniform Prescription Blank Act by permitting another licensee to use prescription blanks imprinted with the name of another licensee, deemed to be professional misconduct. Cease and desist from the activity; payment of penalty of \$250 and costs of \$108.16.

Bernard Koslowsky, D.D.S. DI 7893 Bloomfield

Settlement Letter filed on April 9, 2001. Failure to maintain sanitary standards and use lead shields containing a thyroid collar. Respondent agrees to correct deficiencies, pay a penalty of \$1,500 and costs of \$1,255.93.

Norman H. Kurtzman, D.D.S. DI 10377 Voorhees

Order of Reinstatement filed on April 4, 2001. Based upon review of information submitted, respondent's license reinstated subject to the conditions: ORDERED: Random urine monitoring no fewer than four times a month, continued counseling not less than once a week and attend support groups not less than four times per month; shall not possess any controlled dangerous substance except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause, and use triplicate prescription pads. Respondent not to practice as a solo practitioner and must be supervised by a dentist licensed by the Board and pay costs associated with this matter.

Charlotte Lee, D.M.D. DI 15761 Jersey City

Consent Order filed on July 18, 2001. Misrepresented dates of service on insurance forms, failed to keep proper records, and violated the terms of a prior consent order entered by the Board. ORDERED: License to practice dentistry shall be suspended for a period of three years, two months of which shall be served as a period of active suspension, the remainder shall be stayed and served as period of probation. Civil penalty in the amount of \$10,000 and cost of the investigation in the amount of \$1,347.26.

John P. Leonard, D.M.D. DI 10467 Lakewood

Interim Consent Order filed on November 14, 2001. Convicted of a petty disorderly persons offense relating to lewd conduct. Had taken CDS prescribed by his treating dentist and did not advise the dentist that he had a history of abuse related to Percocet. Records did not reflect treatment for patients on dates when he had written prescriptions for CDS

Board Actions

for those individuals. ORDERED: Cease and desist from writing prescriptions for CDS and shall submit CDS registration to the Board immediately; shall notify DEA of suspension of CDS privileges; shall immediately enroll in the Physicians Health Program to submit to physical and psychological examinations; shall not possess any CDS except pursuant to a bona fide written prescription.

Stewart A. Levine, D.M.D.

DI 9709 Somerset

Consent Order filed on April 23, 2001. Provided dental treatment to a patient which was not within the standard of care, subjecting the patient to pain and requiring additional dental work. ORDERED: Successful completion of and passing grade for the following continuing education courses: seven hours of didactic training in "crown and bridge" and seven hours of didactic training in endodontic therapy. Costs of \$264.99 and provide restitution to the patient in the amount of \$2,500.

Jaime M. Levy, D.M.D.	DI 14020	Deptford
Sayed M. Shamseddin, D.D.S	DI 20358	Northfield
Anthony M. Garcita, D.M.D.	DI 18398	Deptford
Carla A. McGruder, D.M.D.	DI 19328	Linedwold

Consent Order filed on May 17, 2001. ORDERED: Respondents warned to cease and desist any and all activities deemed to be in violation of the Board's Statutes and Regulations regarding unsanitary conditions at Modern Dental Concepts office located at 1745A Deptford Center Road, Deptford, New Jersey 08096. Each dentist shall pay a \$500 civil penalty and shall take seven hours of continuing education in OSHA/Infection control-related courses over and above those required for license renewal.

Robert Napoliello, D.D.S.

DI 15639 Somerset

Consent Order filed on July 19, 2001. Treatment rendered to patient failed to conform to the standard of care for dental practice in the State of New Jersey. Submitted an insurance claim for a crown preparation which was not performed. ORDERED: Civil penalty in the amount of \$1,500 for conduct with respect to the submission of an insurance claim for treatment not performed. Costs of \$205.42.

Donald Pavlick, Jr. D.M.D.

DI 17547 Wallington/Lyndhurst

Consent Order filed on June 7, 2001. Engaged in the use of illegal drugs, specifically cocaine, and had entered a drug rehabilitation treatment program and participated in the New Jersey Chemical Dependency Program. ORDERED: Submit to direct witnessing of urine samples two times a week designated by the Board. Obtain counseling not less

than once a week with his treating psychotherapist. Attend support groups, including NA and AA not less than four times per week. Shall not possess any controlled dangerous substances except to a bona fide prescription written by a physician. Shall not practice as a solo practitioner; supervising dentist to provide reports to the Board; automatic suspension if positive drug test.

Richard Rivman, D.D.S.

DI 16621 Oakland

Consent Order filed on November 14, 2001. Failed to maintain adequate patient and billing records and failed to render treatment within the standard of care. ORDERED: Payment of \$9,700 in restitution for the bridge and laminates; completion of 35 hours of continuing education in anterior esthetic dentistry with an emphasis on laminates, anterior crown and bridge and treatment planning and costs of \$193.13.

Eugene Rutskin, D.M.D.

DI 13317 Newark

Settlement Letter filed on April 30, 2001. Findings of violation of the Uniform Prescription Blank Act by using the prescription pad of another licensee, deemed to be professional misconduct. Respondent agrees to cease and desist, pay penalty of \$250 and costs of \$58.84.

William H. Schrock, D.D.S.

DI 15485 Vineland

Consent Order filed January 5, 2001. Dr. Schrock intends to move to another state and no longer wishes to maintain a New Jersey dental license. Voluntary Surrender requested. ORDERED: Immediate and voluntary surrender of his dental license without prejudice.

Jeffrey L. Schupper, D.M.D.	DI 17054	Deptford
Michael S. Ayes, D.D.S.	DI 12421	Voorhees
Richard L. Rush, D.D.S.	DI 12437	Deptford

Consent Order filed on March 21, 2001. Respondents' dental office, Modern Dental Concepts, was maintained in an unsanitary condition. ORDERED: Respondents shall each take seven hours of continuing education in OSHA/Infection control-related courses over and above those required for license renewal. Respondents Michael S. Ayes, D.D.S. and Richard L. Rush, D.D.S. shall each pay civil penalties in the amount of \$5,000, Jeffrey L. Schupper, D.M.D. shall pay a civil penalty of \$2,500. Respondents Michael S. Ayes, D.D.S., and Richard L. Rush, D.D.S., are jointly and severally liable to pay investigative costs in the amount of \$5,249.82. Respondents shall permit, at their sole expense, unannounced inspections of the dental office premises for two years following the entry of this order.

Board Actions

Armin C. Wagner
(unlicensed)

Order filed April 20, 2001. ORDERED: Respondent is permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist unless and until duly licensed or registered to do so. Respondent is permanently enjoined from advertising, or holding himself out as authorized to fit or to fabricate dentures or dental appliances in the State of New Jersey unless and until duly licensed or registered to do so. Respondent is permanently enjoined from engaging in any unconscionable commercial practice, fraud, deception, false promise or misrepresentation including but not limited to falsely representing himself as being authorized to perform dental procedures in violation of the consumer fraud act. Civil penalty in the amount of \$1,648.42 and investigative costs of \$3,351.58.

John Walsh, D.D.S.
DI 08862 Union

Consent Order filed on September 19, 2001. Office was maintained in an unsanitary condition. ORDERED: One year suspension stayed and to be served as a period of probation. Civil penalty in the amount of \$3,500 for conduct with respect to his failure to maintain a satisfactory level of cleanliness in his office. Must pay costs of the investigation in the amount of \$2,155.36. The Board will conduct random inspections of the office.

Mark Wassef, D.D.S.
DI 19435 Hazlet

Consent Order filed on July 12, 2001. Treatment rendered to patient failed to conform to the standard of care for dental practice in the State of New Jersey. ORDERED: Civil penalty in the amount of \$5,000 comprised of \$2,500 for repeated acts of malpractice and \$2,500 for poor recordkeeping and costs in the amount of \$141. Restitution to the patient in the amount of \$2,745. Fourteen hours of continuing education of oral diagnosis and fourteen hours of crown and bridge.

Richard H. Williams, D.D.S.
DI 10949 Bergenfield

Final Order of Discipline filed on October 9, 2001. Failed to pay the required fees and failed to respond to the Board's request for submission of the renewal fees for the 1997-1999 renewal periods. ORDERED: Registration as a dentist indefinitely suspended as of October 17, 2001. The suspension shall continue until such time the sum of \$725 is submitted which reflects the \$225 registration fee and late fee and a civil penalty in the amount of \$500 for failing to comply with the Board for those fees.

Robert E. Wollman
DI 11414 Jackson

Consent Order of Voluntary Surrender of Licensure filed on August 1, 2001. Failed to comply with the conditions of a previous Order and has not yet achieved a point in recovery where continued practice of dentistry would not pose a threat to the public health, safety, and welfare. ORDERED: Immediately surrender license to practice dentistry in the State of New Jersey for a minimum period of six months. Reinstatement to be considered upon demonstration of competency and continued recovery.

2002

Teresa Baugh, D.D.S.
DI 18336 Newark

Consent Order filed on February 7, 2002. ORDERED: Cease and desist from performing any and all orthodontic treatment until the completion of no fewer than 200 hours of continuing education courses pre-approved by the Board. After completion of the courses, the doctor may resume treatment of orthodontic conditions limited to performance of orthodontic treatment on Class I patients. Fourteen hours in diagnosis and treatment planning within six months of the entry of the Order. Restitution to patient in the amount of \$535. Civil penalty in the amount of \$2,000. Costs in the amount of \$343.10.

Murray Borman, D.M.D.
DI 12102 Atlantic City

Consent Order filed on February 7, 2002. Failed to treat within standard of care. ORDERED: Civil penalty in the total amount of \$2,500. Costs of \$696.78. Restitution to patient in the amount of \$3,410.00. Complete 31 1/2 hours of continuing education: seven hours in developing a periodontal preventative maintenance program; 21 hours in crown and bridge, fourteen of which are to be "hands on" and seven hours which are to be didactic; and 3 1/2 hours in recordkeeping.

Joseph Brown, D.D.S.
DI 13607 Irvington

Order Modifying Restrictions filed on March 18, 2002. ORDERED: Board-approved supervision is removed effective immediately. Permitted to prescribe controlled dangerous substances for patients as required for dental treatment. Use sequentially numbered, triplicate prescription pads for all prescriptions written. Continue counseling not less than once every two months. Attend support groups, including AA or NA not less than 3 times per week. Provide evidence

of attendance at support groups. Shall not possess any controlled dangerous substances except pursuant to a bona fide prescription.

Frederick DeNike, D.M.D.

DI 13380 Emerson

Settlement Letter filed on May 9, 2002. Treatment of one patient failed to meet an appropriate standard of care; recordkeeping violations. Completion of 21 hours of Board-Approved continuing education in diagnosis and treatment planning, fabrication of immediate dentures and crown and bridge; restitution to the patient of \$4,848; penalties of \$1,500 and costs of investigation of \$266.

Donald Dobrowolski, D.M.D.

DI 13038 Brick

Consent Order of Voluntary Surrender of Licensure filed on May 28, 2002. ORDERED: Surrender license to practice dentistry for an indefinite period. Return original New Jersey license, current biennial registration, and current CDS registration. Advise the DEA of this Order. Independent evaluation at his expense by a Board-approved psychiatrist or psychologist. Urine monitoring not less than two times per week. Continue counseling at his own expense and provide the Board with a report relating to a relapse and the prognosis for recovery. Shall attend support groups, including NA or AA not less than four times per week and shall provide evidence of attendance. Shall not possess any controlled dangerous substances except pursuant to bona fide prescription written for good medical cause. Shall provide any and all releases to any and all parties who are participating in the monitoring, treating or other program as outlined in this Order. Prior to restoration of his license respondent shall appear before the Board to discuss his readiness to return to the practice of dentistry. Provide the Board with reports from each and every mental health professional. Provide the Board with a report from the New Jersey Dental Association Chemical Dependency Program or the Physicians' Health Program.

Ira Eisentstein, D.M.D.

DI 11150 Mount Laurel

Order Removing Restrictions on License filed on June 18, 2002. Restrictions placed on license pursuant to a Board order of July 11, 2001 are removed and the requirement to continue in treatment and to submit reports from treating professionals are vacated.

Robert Karasek, D.M.D.

DI 17237 Berkeley Heights

Consent Order of Voluntary Surrender of Licensure filed on February 7, 2002. Upon receipt of information that respondent had written prescriptions for controlled dangerous substances in the names of relatives and in the name of "office use," and illegally obtained those prescriptions for personal use. ORDERED: Immediate surrender of his license to practice Dentistry in the State of New Jersey for a minimum period of six months from the entry date of this Order. Prior to restoration respondent shall appear before the Board, show evidence of being capable of discharging the functions of a licensee, provide evidence of being capable of discharging the functions of a licensee, provide reports from each and every mental health professional as well as the Physician's Health Program.

John G. McIntyre, D.D.S.

DI 15633 Raritan

Final Order of Discipline filed on March 6, 2002. Order based upon respondent's admission in an agreement he entered into with the New Jersey Office of the Insurance Fraud Prosecutor that he filed a false insurance claim and that he failed to cooperate as required by regulation with the Board's investigation into the treatment of eight patients.

ORDERED: Respondent to comply with all outstanding requests for information from the board; license suspended indefinitely until compliance with requests for information; two year suspension, three months active, based upon respondent's conduct associated with the Consent Order entered with the Office of the Insurance Fraud Prosecutor; penalties of \$12,500 and costs of investigation.

Roy McTernan, D.M.D.

DI 15363 Dover

Order Modifying Restrictions on License filed on February 7, 2002. ORDERED: Continue to practice dentistry under the supervision of a Board-approved supervisor. CDS registration shall be reinstated. Prescribe CDS only through the use of triplicate, sequentially numbered prescription blanks. Urine monitoring not less than two times per month on a random basis. Continue counseling with quarterly reports to the Board. Continue to attend support groups, including NA or AA not less than two times per week and provide evidence of attendance to the Board. Shall not possess any controlled dangerous substances except pursuant to a bona fide prescription for good medical cause. May apply for modification to the terms of the Order no sooner than one year following its entry.

Board Actions

Jaime Morales, D.M.D.

DI 13533 Perth Amboy

Settlement Letter filed on April 10, 2002. Treatment provided to patient without adequate diagnostic information; inadequate treatment records. Completion of fourteen hours of Board approved continuing education in oral diagnosis and treatment planning and recordkeeping. Penalty of \$4,000 and costs of \$285.66.

Hiep P. Nguyen, D.M.D.

DI 18316 Atlantic City

Consent Order filed on January 7, 2002. Failed to maintain office in sanitary condition ORDERED: Civil penalty in the amount of \$2,500 for the failure to maintain a satisfactory level of cleanliness in his office and costs of the investigation in the amount of \$2,812.78. Complete seven hours of continuing education in infection control. Random unannounced inspections of the office.

Michael F. Parise, D.D.S.

DI 14799 North Brunswick

Order Modifying Restrictions filed on March 18, 2002. ORDERED: Prior Board order modified. Board-approved monitor is removed effective immediately. Permitted to prescribe controlled dangerous substances for patients as required in connection with dental treatment. Use sequentially numbered, triplicate prescription pads for all prescriptions written. Provide copies of prescriptions to the Board on a monthly basis. Urine monitoring randomly not less than three times per month. Continue counseling with treating psychiatrist as recommended by the psychiatrist. Attend support groups, NA or AA not less than two time per week. Shall not possess any controlled dangerous substances except pursuant to a bona fide prescription written by a physician for good medical cause.

Ira S. Port, D.D.S. and

Alan Cohn D.D.S.

DI 11460 Manahawkin

DI 11468 Manahawkin

Settlement Letter filed on April 18, 2002. Respondents permitted a Registered Dental Hygienist to perform bleaching procedures in contravention of the regulations defining scope of practice. Penalty of \$2,500.

Robert Puleo, D.D.S.

DI 14966 Flemington

Settlement Letter filed on June 22, 2002. Treatment of one patient failed to meet an appropriate standard of care and deficiencies in patient records. Penalty of \$500 for violation of patient record regulations; restitution of \$1,535; completion of fourteen hours of Board-approved continuing education in endodontics and fixed prosthetics.

Henry Salama, D.D.S.

DI 13301 Ventnor

Settlement Letter filed on April 29, 2002. Deficiencies in patient records in violation of patient record regulations. Formal reprimand; penalty of \$2,500; costs of \$211.50 and agreement to comply with recordkeeping regulations in the future.

Joseph Salkind, D.M.D

DI 17764 Voorhees

Consent Order filed on February, 7, 2002. ORDERED: Civil penalty totaling \$7,500, which sum represents a penalty of \$2,500 for allowing a dental hygienist to perform the bleaching techniques, which is outside the scope of her duties; \$2,500 for advertising violations contained in a radio broadcast, including failing to correct the impression that a laser was being used for a bleaching procedure and that nesbits are illegal; \$500 for falsely representing on an Internet web site that the State of New Jersey has certain requirements for licensure, when no such requirements exist; \$500 for advertising a "specialty in cosmetic dentistry"; \$500 for claiming superiority; \$500 for the coupon that states a misleading value of services; \$250 for falsely advertising that he possessed a "post-doctoral degree" and \$250 for advertising that he use a "special technique." Costs of \$376.

Edward D. Sledge, D.M.D.

DI 12318 East Orange

Consent Order entered on June 4, 2002. Opened upon receipt of information that respondent had been enrolled in the Physician's Health Program since June, 2001 and had, within a one month period, three positive urine screens for marijuana. In 1987, respondent had entered into Consent Order following admission of cocaine use. ORDERED: Twice weekly urine screens; psychotherapy sessions at a frequency of not less than once per week, continued participation in AA or NA not less than four times per week; no possession of any controlled dangerous substances with the exception of those issued by prescription; shall practice with a monitor.

Anthony B. Spain, D.M.D.

DI 16104 Montclair

Final Order of Discipline filed on February 7, 2002. Following a guilty plea with the Office of the Insurance Fraud Prosecutor for falsifying records. ORDERED: Two-year suspension, 60 days active, the remainder of the suspension shall be stayed and served as an active period of probation. During the two-year suspension, random audits by the Enforcement Bureau of patient and billing records.

Karen Spyridon-Marker, R.D.A.**DP 002342 Alloway**

Final Order of Discipline filed on April 22, 2002. Following a conviction of the crime of Theft by Deception. ORDERED: Registration to practice as a dental assistant suspended for one year, the first 45 days to be served as an active suspension effective May 15, 2002 and the remainder to be stayed and served as a period of probation. Prior to resuming active practice the respondent is required to appear before the Board to demonstrate her fitness.

Mark Weber, D.M.D.**DI 18794 Red Bank**

Settlement Letter entered on July 16, 2002. Failure to maintain proper patient records by releasing original radiographs and not maintaining a copy in the patient record. Penalty of \$500.■

Farewell to Agnes Clarke

It is with profound thanks that the Board acknowledges the dedicated service of Agnes M. Clarke, its former executive director. Ms. Clarke, a registered nurse, diligently oversaw the daily workings of the Board from 1990 until 2000. She made many critical contributions in Board deliberations, and she is missed by all. The members of the Board wish her well in her new assignment.

Board Meeting Dates 2002

The Board of Dentistry has scheduled the following public meetings for the remainder of calendar year 2002. All meetings are held in the Board offices at 124 Halsey Street, 6th floor, Newark, New Jersey. Meetings generally begin at 10:00 AM.

October 2

November 6

December 4

Higher Education Loan Defaults

Under a law enacted in 1999, the director of the Division of Consumer Affairs, or the Board, may suspend the license of any person who has been certified by a lender or guarantor for nonpayment or default of a state, or federal direct or guaranteed educational loan. The license may not be reissued until the person provides the director or the Board with a written release by the lender or guarantor that the person has cured the default or is making payments on the loan in accordance with a repayment agreement approved by the lender or guarantor. If the person has continued to meet all other requirements for licensure during the suspension, reinstatement is automatic upon receipt of the notice, subject to the payment of the current registration fee plus a reinstatement fee.

Check out the Web site!

A great deal of information has been added to the Division of Consumer Affairs' Web site, including an on line listing of all licensees, current statutes and regulations, newly proposed regulations, Board meeting dates, agendas, public session minutes, special alerts, license renewal deadlines and extensions, disciplinary actions, and on line change of address forms. The Web site can be accessed at: <http://www.state.nj.us/lps/ca/boards.htm>.



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New Jersey Department of Law & Public Safety

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visit our Web site at www.nj.gov/lps/ca/home.htm

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